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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of]

Michael REUSCHEL et al.]

Serial No.: 09/945,543]

Filing Date: September 2, 2001]

For: CONTROL APPARATUS AND METHOD]
FOR CONTROLLING DRIVE TRAIN]
COMPONENTS]

Group Art Unit 3681

Examiner: R. Pang

ELECTION OF SPECIES AND PROPOSED DRAWING CHANGES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

In response to the Office Action dated June 24, 2003 (Paper No. 7), in which the examiner imposed an election requirement, applicants provisionally elect, with traverse, for prosecution on the merits the species identified in the Office Action as "Control Method 1: Fig 1." The claims believed to be readable on the provisionally elected species are claims 1 through 47.

It is believed that because all of the claims are readable on the provisionally elected species, and because, as the examiner has acknowledged, claims 1 through 4 and 6 through 8 are generic to each of the species, all the claims should be considered together and in a single application. Additionally, the

method shown in Figure 1 includes the method steps shown in Figure 2, thereby rendering each of the methods identified by the examiner to be within the provisionally elected species. Consequently, each of the claims is readable on the provisionally elected species and each claim should be examined in the present application.

PROPOSED DRAWING CHANGES

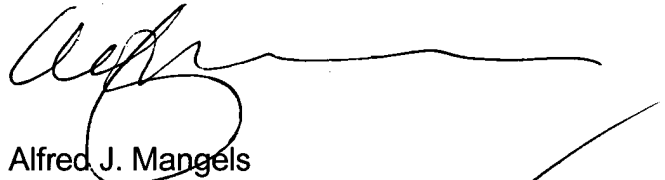
The examiner declined to approve the previously-submitted proposed drawing changes on the ground those changes did not show a communication pathway between the clutch controller and the engine controller. Attached hereto is a marked-up copy of originally-filed Figure 1 showing the changes previously proposed along with a two-way communication pathway between the clutch and engine controllers. A corrected formal drawing of further revised Figure 1, which includes that additional communication pathway, is also attached and is respectfully requested to be approved and entered in order to place the drawings in acceptable condition. In that regard, the previously-proposed changes to Figure 2 were not objected to and are therefore believed to be acceptable.

Based upon the foregoing, it is respectfully requested that the election requirement be reconsidered and that it be withdrawn. Early and favorable action on this application is respectfully requested.

The examiner is cordially invited to telephone the undersigned attorney if this Election of Species raises any questions, so that any such question

can be quickly resolved in order that the present application can proceed toward allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Alfred J. Mangels', with a large circular flourish at the end.

Alfred J. Mangels
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July 24, 2003